

in that it represented that the said article was, to wit, cider, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was, to wit, cider, whereas, in truth and in fact, it was not cider but was a product composed in part of a substance other than cider.

Adulteration of the vinegar was alleged for the reason that a mixture prepared from dried apple products, which contained excessive added water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for pure apple vinegar, which the said article purported to be.

Misbranding of the said vinegar was alleged for the reason that the statement, to wit, "Pure Apple Vinegar," borne on the barrel containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of pure apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of pure apple vinegar, whereas, in truth and in fact, it did not so consist but did consist in part of a mixture prepared from dried apple products, which contained excessive added water.

On June 16, 1921, the defendants entered pleas of nolo contendere to counts 3, 4, 5, and 6 of the information involving the adulteration and misbranding of the vinegar, and filed a demurrer and motion to quash as to counts 1 and 2 involving the Cido, and the court imposed a fine in the amount of \$100 with respect to said counts 3, 4, 5, and 6. On December 21, 1922, the demurrer to counts 1 and 2 was argued before the court and on January 22, 1923, with the consent of the United States attorney, the demurrer was sustained.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11412. Misbranding of Jad brand salts. U. S. v. 23½ Dozen Bottles, et al., of Jad Brand Salts. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16520, 16521, 16522, 16523, 16524, 16525, 16526. I. S. Nos. 1015-v, 1017-v, 1018-v, 1019-v, 1255-v, 1256-v, 1257-v, 1258-v, 1259-v. S. Nos. E-4219, E-4220, E-4221, E-4222, E-4223, E-4224, E-4225.)

On November 14, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 168½ dozen bottles of Jad brand salts, remaining in the original unbroken packages at Baltimore, Md., consigned between the dates of July 14 and October 14, 1922, alleging that the article had been shipped by the Wyeth Chemical Co., in part from New York, N. Y., and in part from Detroit, Mich., and transported from the States of New York and Michigan into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "* * * possessing Antacid, Anti-Rheumatic, Kidney Diuretic * * * Stomach Sweetening, and Anti-Lithic properties;" (bottle) "To assist in flushing the Kidneys and thereby increasing elimination of urinous waste products such as uric acid and urea, take a tablespoonful * * * and put it in a half glass of hot or cold water and drink while effervescing, each morning before breakfast. * * * Besides its beneficial action upon the Kidneys, it also assists in keeping * * * the stomach sweet." A portion of the article was further labeled in part: (Booklet) "Jad Salts For Relief of the Kidneys * * * The formula of Jad Salts is plainly stated on the label, so that the intelligent man or woman can see if it is adapted to the ailment or condition from which relief is sought. There is used in its preparation the natural fruit salts from grapes and lemons, and these are combined with lithium carbonate, sodium bicarbonate and potassium bicarbonate for their antilethic value and neutralizing effects. * * * The object of flushing the kidneys with Jad Salts is to aid Nature in getting rid of any excess of uric acid or acid waters that may have accumulated in the blood, partly as the result of overindulgence in meat diet or the taking of two [too] little physical exercise. Every vigorous man and woman needs such treatment now and then, if for no other reason than to keep the eliminative organs in a healthy state. The mere taking of physic will not accomplish this. Jad Salts is just the medicine to use in all such cases. For Rheumatic Twinges If you have headache, dizziness, backache, rheumatic twinges, or pains in your joints or in the muscles of the body or limbs, try a few doses of Jad Salts. You will be happy over the result and your bodily condition will be improved. If your urine is scanty, highly-colored, or loaded with sediment after standing overnight, try a few days' treatment with Jad Salts."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium phosphate, sodium bicarbonate, citric and tartaric acids, with traces of lithium carbonate, potassium bicarbonate, and hexamethylenetetramine.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effect of the said article, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 19, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11413. Adulteration of shell eggs. U. S. v. Carrie Summers, Felix Craghead, and Beulah Craghead (Craghead & Co.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 16926. I. S. No. 2047-t.)

On March 9, 1923, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carrie Summers, Felix Craghead, and Beulah Craghead, trading as Craghead & Co., Yewed, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about June 20, 1922, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated. The article was labeled in part: "* * * from Craghead & Co. Yewed, Ok."

Examination by the Bureau of Chemistry of this department of the 1,080 eggs involved in the consignment showed that 115, or 10.6 per cent of the total, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 10, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11414. Adulteration of shell eggs. U. S. v. 398 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17111. I. S. No. 7005-v. S. No. C-3854.)

On or about December 19, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 398 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by W. E. Keeney, Clarinda, Iowa, October 11, 1922, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On December 29, 1922, M. P. Rutledge Co., Chicago, Ill., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11415. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17112. I. S. No. 3847-v. S. No. C-3857.)

On or about December 21, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Boring Produce Co., Clinton, Okla., June 3, 1922, and transported from the